

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

KIMBERLY LEE,	)	
	)	
Plaintiff,	)	Case No. 4:18-cv-1171
	)	
v.	)	
	)	Removed from:
CENTRAL CREDIT SERVICES, LLC,	)	21st Judicial Circuit Court
	)	St. Louis County, Missouri
Defendant.	)	Case No. 18SL-AC15039

**NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant, Central Credit Services, LLC, (hereinafter “CCS”), by its attorneys, respectfully files this Notice of Removal to remove this action from the 21st Judicial Circuit Court, St. Louis County, Missouri, to the United States District Court for the Eastern District of Missouri. In support of this Notice of Removal, CCS states as follows:

1. Plaintiff, Kimberly Lee, originally commenced this action by filing a Complaint against CCS in the 21st Judicial Circuit Court, St. Louis County, Missouri, captioned *Kimberly Lee v. Central Credit Services, LLC*, Case No. 18SL-AC15039, on May 23, 2018. The complaint was served on CCS’s registered agent on June 18, 2018. A true and correct copy of the Summons and Complaint is attached hereto as Exhibit A. No further proceedings before the state court have occurred.

2. For the reasons described below, this Court has jurisdiction over the state court action pursuant to 28 U.S.C. § 1331 because Plaintiff's Complaint alleges a cause of action arising under the laws of the United States.

3. Plaintiff's single-count Complaint alleges that CCS violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*, in its attempt to collect a debt allegedly owed by Plaintiff on a credit account with First Premier Bank. *See* Exhibit A. Specifically, Plaintiff alleges that CCS falsely represented the amount of the debt, in violation of § 1692e, and overshadowed Plaintiff's rights to dispute the debt, in violation of § 1692g. *Id.*

4. The United States Supreme Court has affirmed that federal question jurisdiction exists when presented with a substantial federal question. *Grable & Sons Metal Prods., Inc. v. Darue Eng. & Mfg.*, 545 U.S. 308 (2005). Because Plaintiff seeks relief for causes of action arising under a federal statute, the Complaint asserts a federal question under 28 U.S.C. § 1331 and 15 U.S.C. § 1692k, and it is therefore removable pursuant to 28 U.S.C. § 1441.

5. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b) in that it is being filed within thirty (30) days after service of the Complaint on Defendant CCS. CCS was served on June 18, 2018. *See* Exhibit A.

8. The 21st Judicial Circuit Court, St. Louis County, Missouri is located within the federal district for the Eastern District of Missouri. Therefore, venue for purposes of removal is proper because the United States District Court for the Eastern

District of Missouri embraces the place in which the removed action was pending. 28 U.S.C. § 1441(a).

9. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being caused to be served on Plaintiff, through her attorneys, at the addresses provided in her Complaint. Notice will also be promptly filed with the clerk of the 21st Judicial Circuit Court, St. Louis County, Missouri. *See* Exhibit B.

10. CCS files this Notice of Removal solely for the purpose of removing the state court action and does not waive, and specifically reserves, all defenses.

WHEREFORE, Defendant Central Credit Services, LLC gives notice that this action is removed to the United States District Court for the Eastern District of Missouri, and respectfully requests that no further proceedings in this matter be had in the 21st Judicial Circuit Court, St. Louis County, Missouri.

Date: July 17, 2018

Respectfully submitted,

/s/ Michael S. Hamlin

Michael S. Hamlin, Esq.

NICHOLS, LANG, & HAMLIN, LLC

1795 Clarkson Road, Suite 230

Chesterfield, Missouri 63017

Telephone: (314) 428-9603

Facsimile: (314) 428-9562

E-mail: mike@nlh-law.com

*Attorneys for Central Credit Services, LLC*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on July 17, 2018, I electronically filed the foregoing **Notice of Removal** with the Clerk of Court using the CM/ECF system. A copy of this document and all attachments are being delivered by regular mail and electronic mail to counsel at the following addresses:

Richard A. Voytas, Jr.  
Ross & Voytas, LLC  
12444 Powerscourt Drive, Suite 370  
St. Louis, MO 63131  
rick@rossvoytas.com

Respectfully submitted,

/s/ Michael S. Hamlin

Michael S. Hamlin, Esq.

*Attorney for Central Credit Services, LLC*